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PATENT

OCT 26 2007

Application 10/519,637

Attorney Docket 1030-018

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) Tyler, Rodney
Application 10/519,637
Confirmation 9141
Filed 12/28/2004
Application Title Containment Systems, Methods, and Devices
Art Unit 3637
Latest Examiner Safavi, Michael

INFORMATION DISCLOSURE STATEMENT (IDS)

Mail Stop Amendment

Commissioner for Patents

United States Patent and Trademark Office (USPTO)

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, 1.97, and 1.98, the attention of the USPTO is hereby directed to the attached listing of documents and/or the attached Declaration. For each document listed under "Foreign Patent Documents" or "Non Patent Literature Documents", one copy of that document is attached.

It is respectfully requested that the listed documents:

- (1) be expressly considered during the prosecution of this application;
- (2) be made of record therein; and
- (3) appear among the "References Cited" on any patent to issue therefrom.

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Although the information submitted herewith might be "material" to the USPTO's consideration of this application, this submission is not intended to be an admission that such information qualifies as "prior art" as to any claimed subject matter. The filing of this Information Disclosure Statement is not to be construed to mean that a search has been made.

The following marked paragraphs are applicable in this IDS:

Timing of this IDS:

- ☒ **A.** This IDS is being filed per 37 CFR 1.97(b)
- ☐ (1): within 3 months of the U.S. filing date other than a CPA under 1.53(d);
 - ☐ (2): within 3 months of the date of entry of the national stage as set forth in 1.491 in an international application;
 - ☐ (3): before the mailing date of a first Office Action on the merits; **OR**
 - ☒ (4): before the mailing date of a first Office Action associated with a request for continued examination (RCE) under 1.114;

AND, thus, no certification or fee is required.

- ☐ **B.** This IDS is being filed per 37 CFR 1.97(c), **AFTER** the period specified in 37 CFR 1.97(b) [section A of this IDS], and **BEFORE**:
- (a) the mailing date of any Final Action under 1.113,
 - (b) a Notice of Allowance under 1.311, **OR**
 - (c) an action that otherwise closes prosecution,

AND, per 37 CFR 1.97(e), I hereby certify that:

- ☐ (1) each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this IDS ; **OR**

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- ☐ (2) no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of this IDS

OR, per 37 CFR 1.97(c), this IDS is accompanied by:

- ☐ (3) payment of the fee under 37 CFR 1.17(p) to ensure consideration of the disclosed information.

- ☐ C. This IDS is being filed per 37 CFR 1.97(d), AFTER the period specified in 37 CFR 1.97(c) [section B of this IDS], and ON or BEFORE the payment of the Issue Fee;

AND, per 37 CFR 1.97(e), I hereby certify that:

- ☐ (1) each item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this IDS; **OR**
- ☐ (2) no item of information in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than 3 months prior to the filing of this IDS

AND, per 37 CFR 1.97(d), this IDS is accompanied by:

- ☐ (3) payment of the fee under 37 CFR 1.17(p) to ensure consideration of the disclosed information.

PATENT**Application 10/519,637****Attorney Docket 1030-018****Legible Copies of Listed References:**

- ☐ D. In addition to the attached listing, accompanying this IDS is a legible copy of each listed:
- (1) foreign patent document;
 - (2) pending unpublished U.S. application OR that portion of the application that caused it to be listed including any claims directed to that portion; **AND**
 - (3) non-patent document or that portion thereof that caused it to be listed;
 - (4) other information or that portion that caused it to be listed.
- ☐ E. Consistent with 37 CFR 1.98(d), because the IDS submitted in parent U.S. Patent Application No. _____, to which this application claims priority per 35 U.S.C. 120, complies with 37 CFR 1.98(a) to (c), copies of the patent documents, non-patent documents, pending U.S. application, and other information submitted in that parent application do not accompany this IDS.

Related U.S. Application(s):

- ☒ L. This application is one of a series of related applications, namely, U.S. Patent Application Nos. 10/208,631, (now US Patent No. 7,226,240); 11/879,316; 11/823,390; and 11/804,163, which are directed to related technical subject matter. The identification of those U.S. Patent Applications is not to be construed as a waiver of secrecy as to those applications now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited applications and the documents cited therein during the examination.

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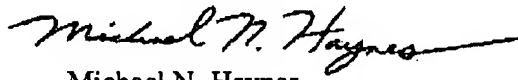
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CONCLUSION

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

Michael Haynes PLC



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Date: 26 October 2007

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